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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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**Complete if Known**

Application Number	10/598,215
Filing Date	August 21, 2006
First Named Inventor	Dilip K. Nakhasi
Art Unit	3844
Examiner Name	
Attorney Docket Number	0803-0111.03

Sheet 1 of 7

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
/E.G./ ↓		US- 6,087,353	07-11-2000	Stewart et al.	
		US- 6,106,886	08-22-2000	van Amerongen et al.	
		US- 6,113,972	09-05-2000	Corliss et al.	
		US- 6,117,475	09-12-2000	van Amerongen et al.	
		US- 6,149,961	11-21-2000	Kepplinger et al.	
		US- 6,139,897	10-31-2000	Goto et al.	
		US- 6,174,560 B1	01-16-2001	Miettenen et al.	
		US- 6,190,720 B1	02-20-2001	Yuan et al.	
		US- 6,228,407 B1	05-08-2001	Kepplinger et al.	
		US- 6,274,574 B1	08-14-2001	Akashe et al.	
		US- 6,277,431 B1	08-21-2001	Berry et al.	
		US- 6,326,050 B1	12-04-2001	Goto et al.	
		US- 6,376,482 B2	04-23-2002	Akashe et al.	
		US- 6,399,138 B1	06-04-2002	Cain et al.	
		US- 6,413,571 B1	07-02-2002	Liu	
		US- 6,562,395 B2	05-13-2003	Wester et al.	
		US- 6,576,285 B1	06-10-2003	Bader et al.	
		US- 6,623,780 B1	09-23-2003	Stevens et al.	
		US-			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
/E.G./ ↓		WO 01/13733 A1	03-01-2001	Masui et al.		
		WO 01/32029 A2	05-10-2001	Zawistowski		
		WO 01/91587 A2	12-06-2001	Zawistowski et al.		
		WO 02/16534	02-28-2002	Takeuchi et al.	Abstract	

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Sheet	2	of	7
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Application Number	10/598,215
Filing Date	August 21, 2006
First Named Inventor	Dilip K. Nakhasi
Art Unit	3744
Examiner Name	
Attorney Docket Number	0803-0111.03

## U. S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

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		Number-Kind Code <sup>2</sup> (if known)			
/E.G./		us- 3,450,819	06-17-1969	Babayan et al.	
		us- 3,592,661	07-13-1971	Seiden	
		us- 3,595,673	07-27-1971	Seiden	
		us- 4,832,975	05-23-1989	Yang	
		us- 5,288,512	02-22-1994	Seiden	
		us- 5,908,654	06-01-1999	Cain et al.	
		us- 5,998,396	12-07-1999	Nakano et al.	
		us- 6,031,118	02-29-2000	van Amerongen et al.	
		us- 6,106,886	08-22-2000	van Amerongen et al.	
		us- 6,117,475	09-12-2000	van Amerongen et al.	
		us- 6,124,486	09-26-2000	Cherwin et al.	
		us- 6,162,483	12-19-2000	Wester	
		us- 6,410,078 B1	06-25-2002	Cain et al.	
		us- 6,531,463 B1	03-11-2003	Yliruusi et al.	
		us- 6,589,588 B1	07-08-2003	Wester et al.	
		us- 6,793,959 B2	09-21-2004	Nakhasi et al.	
		us- 6,800,317 B2	10-05-2004	Wester et al.	
		us- 6,835-408 B2	12-28-2004	Takeuchi et al.	

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		Country Code <sup>3</sup> "Number" <sup>4</sup> "Kind Code" <sup>5</sup> (if known)				
/E.G./		WO 98/19556	05-14-1998	Raisio Yhtymä OYJ		
		WO 98/06405 A1	09-12-2000	Raisio Tehtaat OY AB		
		WO 01/32035 A1	05-10-2001	Raisio Benecol OY		
		WO 02/055639 A1	07-18-2002	Karl-Shamns AB		
		WO 00/03609	01-27-2000	Merck Patent GMBH		

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Application Number	10/598,215
Filing Date	August 21, 2006
First Named Inventor	Dilip Nakhasi
Art Unit	3744
Examiner Name	
Attorney Docket Number	0803-0111.03

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		Number-Kind Code <sup>2</sup> (if known)			
/E.G./		us- 6,929,816 B2	08-16-2005	Wester	
		us- 2003/0068425 A1	04-10-2003	Khare	
		us- 2003/0175404 A1	09-18-2003	Nakhasi et al.	
		us- 2004/0043125 A1	03-04-2004	Kaimal et al.	
		us- 2004/0115332 A1	06-17-2004	Teran et al.	
		us- 2004/0191391 A1	09-30-2004	Takeuchi et al.	
		us- 2004/0219277 A1	11-04-2004	Wester	
		us- 2005/0038270 A1	02-17-2005	Flickinger et al.	
		us- 2005/0054621 A1	03-10-2005	Gako-Golan et al.	
		us- 2005/0261259 A1	11-24-2005	Burdick et al.	
		us- 2006/0280856 A1	12-14-2006	Papathanasopoulos	
		US-			
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### FOREIGN PATENT DOCUMENTS

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Attorney Docket Number	0803-0111.03

Sheet	5	of	7
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**OTHER PRIOR ART—NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
/E.G./	AA	ST-ONGE, ROSS, PARSONS and JONES, "Medium Chain Triglycerides Increase Energy Expenditure and Decrease Adiposity in Overweight Men,"	
/E.G./		Obesity Research, Vol. 11 No. 3, March 2003, pp. 395-402.	
/E.G./	BB	ST-ONGE and JONES, "Phytosterols and Human Lipid Metabolism: Efficacy, Safety, and Novel Foods," Lipids, Vol. 38, no. 4, April 2003, pp. 367-375, AOCS Press.	
/E.G./	CC	ST-ONGE and JONES, "Greater Rise in Fat Oxidation with Medium Chain Triglyceride Consumption Relative to Long Chain Triglyceride is Associated with Lower Initial Body	
/E.G./		Weight and Greater Loss of Subcutaneous Adipose Tissue," In Press IJO Aug. 13, 2003.	
/E.G./	DD	ST-ONGE, LAMARCHE, MAUGER and JONES, "Consumption of a Functional Oil Rich in Phytosterols and Medium-Chain Triglyceride Oil Improves Plasma Lipid	
/E.G./		Profiles in Men," Journal of Nutrition, Vol. 133, pp. 1815-1820, 2003.	

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		Application Number	10/598,215		
		Filing Date	August 21, 2006		
		First Named Inventor	Dilip Nakhasi		
		Art Unit	3744		
Examiner Name					
Sheet	6	of	7	Attorney Docket Number	0803-0111.03

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
/E.G./	EE	WESTER, "Cholesterol-lowering effect of plant sterols", XP-002216851, EUR, J. LIPID SCI, TECHNOL., 2000, pgs. 37-44.	
/E.G./	FF	PCT Notification of Transmittal of the International Search Report and the Written Opinion of the International Searching Authority, or the Declaration; PCT/US2004/030663; Dated December 22, 2004.	
/E.G./	GG	PCT International Search Report; PCT/US2004/030663; Dated December 22, 2004.	
/E.G./	HH	PCT Written Opinion of the International Searching Authority; PCT/US2004/030663; Dated December 22, 2004.	
/E.G./	II	SWERN, D., 1979, Bailey's Industrial Oil and Fat Products, Vol. 1, 4 <sup>th</sup> Edition. John Wiley & Sons, New York, pgs. 54-55, 210-211.	
/E.G./	JJ	SWERN, D., 1970, Bailey's Industrial Oil and Fat Products Vol. 1, 4 <sup>th</sup> Edition, John Wiley & Sons, New York, pgs 178-180.	
/E.G./	KK	DATABASE FSTA 'Online! INTERNATIONAL FOOD INFORMATION SERVICE (IFIS), FRANKFURT-MAIN, DE: 2003; ST-ONGE M P ET AL; "Consumption of a functional oil rich in phytosterols and medium-chain triglyceride oil improves plasma lipid profiles in men."	
/E.G./		XP002331082 - Database accession no. 2003-00-n0737 abstract -& ST-ONGE M-P: JOURNAL OF NUTRITION, vol. 133, no. 6, 2003, pages 1815-1820, XP002331081 Correspondence (reprint) address, P.J.H. JONES, SCH. OF DIETETICS & HUMAN NUTR.	
/E.G./		MCGILL UNIV., STE-ANNE-DE-BELLEUVUE, QUE. H9X 3V9, CANADA. E-MAIL JONESP(A) MACDONALD.MCGILL.CA.	

Examiner Signature	/Elizabeth Gwartney/	Date Considered	09/29/2009
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